

42 - - A viable culture of this new producing strain was deposited with the Culture Collection Laboratory, Northern Utilization Research and Development Division, U.S. Department of Agriculture, Peoria, Ill. on June 7, 1999 and added to its permanent collection under accession number NRRL-30140 in accordance with the Budapest Treaty and is freely available to the public from this depository.- -

IN THE CLAIMS

Please ~~cancel~~ Claims 2-6 and 8-63 without prejudice.

REMARKS

The present application is a divisional application of U.S. Serial No. 09/321,182. The specification has been amended to reflect the complete prosecution history.

AMENDMENT PETITION UNDER 37 CFR 1.48(b).

Attached hereto is an amendment petition under 37 CFR 1.48(b) to delete the name of Maya Prakash Singh as a co-inventor of the claims presently being prosecuted so that only the true inventors are named.

The accession number NRRL-30140 assigned by the Culture Collection Laboratory, Northern Utilization Research and Development Division, U.S. Department of Agriculture, Peoria, Ill. has been added to the specification by amending the specification on page 32, lines 12-17.

Attached hereto is a marked-up version of changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In view of the foregoing preliminary amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notification thereof is earnestly solicited.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Paragraph beginning on page 1, line 18 has been amended as follows:

This application is a divisional application of copending application Serial Number 09/321,182, filed May 27, 1999 which claims the benefit of prior U.S. Provisional Application No. Number 60/109,801 which was converted from U.S. Patent Application Number No. 09/085,549 filed May 27, 1998, pursuant to a petition filed under 37 C.F.R. 1.53(c)(2) on November 2, 1998. These applications are herein incorporated by reference in their entirety.

Paragraph beginning on page 32, lines 12-17 has been amended as follows:

A viable culture of this new product producing stain [will be sent for deposit] was deposited with the Culture Collection Laboratory, Northern Utilization Research and Development Division, U.S. Department of Agriculture, Peoria, Ill. on June [4] 7, 1999 and [will be] added to its permanent collection under accession number [{NRRL- }] NRRL-30140 in accordance with the Budapest Treaty and is freely available to the public from this depository.

IN THE CLAIMS

Claims 2-6 and 8-63 has been canceled.